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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### Application of: Palese et al.

Application No.: 09/070,629

## Group Art Unit: 1648

Filed: April 30, 1998

Examiner: Laurie Scheiner

For: RECOMBINANT INFLUENZA  
VIRUSES EXPRESSING TUMOR  
ASSOCIATED ANTIGENS AS  
ANTITUMOR AGENTS

Attorney Docket No.: 6923-071-999

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56 and 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to the references (BE-BP) listed on the attached revised form PTO-1449 entitled "List of References Cited by Applicants". Copies of references BE-BP are being submitted herewith.

Identification of the listed reference is not to be construed as an admission of Applicants or Attorneys for Applicants that such reference is available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art." 150  
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Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

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Since this Information Disclosure Statement is being filed after the first Office Action on the merits of the application, Applicants believe a fee of \$180.00, as specified by 37 C.F.R. § 1.17(p), is required for this submission. Please charge the required fee to Pennie & Edmonds LLP's Deposit Account No. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date: March 13, 2002

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

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*Enclosure*

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